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CITY OF SANTA MONICA, OFFICER E. NAVARRO,  
OFFICER R. FUJITA and POLICE CHIEF JACQUELINE SEABROOKS

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

JUSTIN L. PALMER, an individual,  
Plaintiff,

v.

CITY OF SANTA MONICA, OFFICER E.  
NAVARRO #3296, in his official and  
individual capacity, OFFICER R. FUJITA  
#3338, in his official and individual  
capacity, CITY OF SANTA MONICA  
CHIEF OF POLICE JACQUELINE  
SEABROOKS, in her official and individual  
capacity, and DOES 1 through 10, inclusive,  
Defendants.

CASE NO.: 15-CV-06183-SJO-JC  
Honorable S. James Otero

**MODIFIED ORDER ON FIRST  
STIPULATION FOR PROTECTIVE  
ORDER RE: CONFIDENTIAL  
TRAINING RECORDS FOR  
OFFICER E. NAVARRO AND  
OFFICER R. FUJITA**

Plaintiff JUSTIN L. PALMER , and defendants CITY OF SANTA MONICA,  
OFFICER E. NAVARRO, OFFICER R. FUJITA, and CITY OF SANTA MONICA  
CHIEF OF POLICE JACQUELINE SEABROOKS, through their attorneys of record,  
have stipulated and agreed, that certain documents and records, and the information  
contained therein, shall be designated as CONFIDENTIAL, for the reasons and under  
the terms set forth in the FIRST STIPULATION FOR PROTECTIVE ORDER RE:  
CONFIDENTIAL TRAINING RECORDS FOR OFFICER E. NAVARRO AND  
OFFICER R. FUJITA filed on January 29, 2016.

1 Having read the FIRST STIPULATION FOR PROTECTIVE ORDER RE:  
 2 CONFIDENTIAL TRAINING RECORDS FOR OFFICER E. NAVARRO AND  
 3 OFFICER R. FUJITA entered into by the parties, and based upon the assertions and  
 4 stipulations therein, and good cause appearing, this Order shall apply to protect from  
 5 unauthorized disclosure the CONFIDENTIAL information set forth in said FIRST  
 6 STIPULATION FOR PROTECTIVE ORDER, **with the following modifications**  
 7 **(reflected in bold):**

- 8 1. The first sentence of Paragraph I(b) is modified to read as follows: “The  
 9 designation of information as CONFIDENTIAL shall not be considered  
 10 conclusive or binding on any party, and such designation may be contested  
 11 by noticed motion **(in accordance with the procedures set forth in Local**  
 12 **Rules 37-1, et seq.),** at any time **consistent with the District Judge’s**  
 13 **scheduling orders.”**
- 14 2. The last sentence of Paragraph I(b) is modified to read as follows: “In no  
 15 event **should a receiving party produce or disclose CONFIDENTIAL**  
 16 **information** without written approval by the party that disclosed the  
 17 CONFIDENTIAL information unless required by **law or** Court order, of  
 18 which the party disclosing the CONFIDENTIAL information has been given  
 19 prior notice **by the receiving party.”**
- 20 3. The third sentence of Paragraph I(c) is modified to read as follows:  
 21 “CONFIDENTIAL material and information derived from  
 22 CONFIDENTIAL material shall be used only as reasonably necessary for  
 23 preparation of mediation briefs, arbitration briefs, and/or trial of this action,  
 24 including use at depositions and in support of motions as further set forth in  
 25 this Stipulation, and, including any appeal or retrial, and, **absent further**  
 26 **Court Order,** shall not be used for any other purpose, including, without  
 27 limitation, any other litigation or proceeding, or any business, or  
 28 governmental purpose or function.”

4. Paragraph I(f) is modified to read as follows: **“If a receiving party wishes to file with the court documents which contain information designated as CONFIDENTIAL by another party, the receiving party shall comply with Local Rule 79-5.2.2(b) (effective December 1, 2015) and Paragraph 28 of the Initial Standing Order for Cases Assigned to Judge S. James Otero (Docket No. 17), with the latter governing to the extent there is any variance between the two.”**
5. The last sentence of Paragraph I(j) is modified to read as follows: “In addition, the parties agree to cooperate in **seeking to obtain** from the Clerk of this Court all documents, transcripts, exhibits and any other materials containing information designated as CONFIDENTIAL that have been filed with this Court and **seeking to secure** their return to the producing party or destroying them as set forth above.”
6. Exhibit A is modified to replace “STIPULATION FOR PROTECTIVE ORDER (‘Protective Order’)” with **“FIRST STIPULATION FOR PROTECTIVE ORDER RE: CONFIDENTIAL TRAINING RECORDS FOR OFFICER E. NAVARRO AND OFFICER R. FUJITA and MODIFIED ORDER ON FIRST STIPULATION FOR PROTECTIVE ORDER RE: CONFIDENTIAL TRAINING RECORDS FOR OFFICER E. NAVARRO AND OFFICER R. FUJITA (collectively ‘Protective Order’).”**

**IT IS SO ORDERED.**

DATED: February 18, 2016

/s/

Honorable Jacqueline Chooljian  
United States Magistrate Judge